



Child Fatality Report Release of Information to the Public

Person ID: 80908121

County of Child's Residence: HARRIS

Gender: Male

Age: 8 Year(s) 5 Month(s)

Date of Death: 03/28/2018

On the date of the fatality, the child was in DFPS conservatorship. At that time, the child was residing in a Hospital.

Child's Name: Hutchins, Tristian L

Current Report(s) of Abuse/Neglect:

Intake Date(s): 03/02/2018

Summary of Allegation(s)/Investigation:

The department received a referral that the deceased child was transported to the hospital after he and his sibling was shot in a drive-by shooting to their mother's car. The report stated the deceased child's mother left the deceased child and siblings in the car while she went inside of a nail shop to get her eyelashes done. The report stated that after ten minutes, a man open the door to the nail shop, looked around and left. The report stated that about fifteen minutes later, gun shots were fired and the mother's car was shot several times. The report stated the deceased child's sibling was shot in the leg and the deceased child was shot in the head and chest.

Investigation Findings:

During the investigation it was found that the deceased child's mother left her ten, eight, and five year old children in the car with the engine running while she went inside a shop. A man she had dated several years earlier came in the shop, looked around, and left. The oldest child then came in the shop to report the man had opened the car door and looked around and left. As the oldest child was leaving the shop, gunshots rang out and everyone in the shop hid. Afterwards the mother and oldest sibling went outside to find the deceased child had been shot in the head and the five year old had a gunshot wound to the leg.

The deceased child's mother reported that approximately two weeks earlier her home was "shot up" during a drive-by shooting while she and the children were in the home. She disclosed that although she socializes and dates gang members, she is not a member of a gang herself. According to law enforcement, the father of the deceased child and his siblings is in one gang and the mother is dating someone from another gang. The children's father is in prison and the person dating the mother had killed someone from the father's gang earlier in the day. The mother of the children had received threats on her life earlier in the day. There was speculation that the children were mistakenly shot and the gang member the mother was dating was the actual target. Law enforcement did find and arrest the shooter. He was charged with murder.

The deceased child's autopsy results showed the cause of death was complications of gunshot wounds of the head and torso and the manner of death is Homicide.

The allegations of neglectful supervision and physical abuse of the deceased child and his siblings by the deceased child's mother were confirmed because the mother admitted that she was receiving death threats from gang members and did nothing to protect her children; leaving them in the car while she went in the nail shop for over an hour. Ultimately her children were shot in the car when the shooter was trying to target her boyfriend.

Safety and Risk assessment identified:

03/02/2018 Safety - Initial Safe with plan

03/03/2018 Risk Very High

Safety and Risk Assessment Factors Identified:**Case Action:****Services and Referrals Provided to the Family:**

Counseling and Evaluation, Parent/Caregiver Training, Medical Resources/Assessment, Legal Services

Other Services:

N/A

Other Actions Taken to Mitigate Risk:

The risk was mitigated because the deceased child's siblings were taken into CPS custody.

If one or more children were previously removed from the home, for each conservatorship episode, summarize dates of conservatorship and type of placement at the end of conservatorship:

Previous Report of Abuse/Neglect:

Intake Date(s): 04/21/2014

Summary of Previous Allegation(s)/Investigation:

The department received a referral that the deceased child and his siblings were being left home alone every day and overnights. The report stated that the mother is member of a gang and may sell drugs.

Investigation Findings:

The mother reported that her children have never been left home alone because they are not living with her. The mother reported that the children are in a parental child safety placement with their godmother. During the investigation, the disclosed that she has been diagnosed with ADHD, depression and anxiety and has been prescribed medication but has not filled the prescription yet.

The Parental Child Safety Placement caregiver was contacted and she confirmed that the children are living in her home and have never been left home alone.

The allegations of neglectful supervision, and physical abuse of the deceased child and his siblings by the deceased child's mother was not confirmed because none of the children are in the home and all of them are in a Parental Child Safety Placement.

Safety and Risk assessment identified:
None, the case was administratively closed.

Safety and Risk Assessment Factors Identified:

Case Action:**Services and Referrals Provided to the Family:****Other Services:****Other Actions Taken to Mitigate Risk:**

The risk was mitigated because the family was working services through Family Based Safety Services.

Previous Report of Abuse/Neglect:

Intake Date(s): 10/09/2013

Summary of Previous Allegation(s)/Investigation:

The department received a report that the deceased child's mother was stealing from different stores and the deceased child and his siblings were left home alone for long periods without supervision. It was reported that the deceased child and his older sibling would be on a street corner where drugs were sold at 11:00 p.m. The one year old sibling would be passed around to various adults who would agree to keep her. It was further reported that the home is always dirty with dirty dishes piled up in the sink and an overwhelming scent of urine in the home. A subsequent report that the one year old sibling had been admitted into the hospital for respiratory issues. It was reported that the mother does not follow up on appointments and the child will go without her treatment and medication. The report stated the medical staff at the hospital were concerned about the one year old's safety and wellbeing as the mother refuses to follow medical advice.

Investigation Findings:

The mother admitted to shoplifting around the beginning of the year, but denied involvement in other thefts or criminal activity. The investigator observed the home to have holes in the living room wall and also in the children's bedroom wall, which the mother stated was caused by the children's father. When the father was angry at the mother, he would hit the wall instead of striking her. There was minimal food observed in the home for the children during the first visit; but after a subsequent visit to the home; there was food observed in the home for the children. The older sibling reported during the first visit that he did not eat dinner because there was nothing to eat. This child reported that the mother did not cook for the children. The deceased child's mother agreed to and submitted a drug test and the result was negative. The mother had been prescribed an antidepressant, but it was unknown if the mother continued to take the medication.

The medical records for the children showed that the one year old child had been seen by a physician only once when she was 10 days old, and had not been seen since that time. The physician noted no problems or concerns. The medical records from the hospital showed that the one year old had several serious incidents and possible diseases but had not been back to the hospital or seen by a hospital physician for about eight months.

The allegations of medical neglect of the deceased child and his siblings by the mother was not confirmed because the children were up to date on their immunizations and had not medical issues during the investigation.

The allegations of neglectful supervision and physical neglect of the deceased child and his siblings by the deceased child's mother was confirmed because there wasn't sufficient food in the home during the initial visit to the home and the children were unsupervised during various times.

Safety and Risk assessment identified:

Child Vulnerability; Caregiver Capability; Quality of Care; Home and Social Environment; Response to Intervention

Case Action:

Closed

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

The risk was mitigated because the family was offered services through Family Based Safety Services.

Other Previous Report of Abuse/Neglect:

Intake Date(s):

Summary of Previous Allegation(s)/Investigation:

Investigation Findings:

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

Note: This report was prepared on 07/15/2019 and does not include corrections or updates, if any, that may be subsequently made to DFPS data on or after the date this report was prepared.